

CA Commission on Peace Officer Standards and Training

**ADDENDUM TO THE INITIAL STATEMENT OF REASONS**

**Subject Matter of Proposed Regulations:** Reimbursements for Training

**Section Affected:** Regulation 1015.

At the February 21, 2019 meeting, the Commission approved proposed amendments to Commission Regulation 1015, Reimbursements for Training as well as Commission Procedure E-2, creating two new Reimbursement Plans (Plans VI and VII), as well as approving the modification of the Presenter Reimbursement Request (PRR) form, POST 2-243 (Rev 08/2018) and the Notice of Appointment/Termination (NOAT) form, POST 2-114 (rev. 08/2016). The Commission also approved the web-based Automated Paperless Training Reimbursement Request (eTRR) system.

The Commission on Peace Officer Standards and Training (POST) is proposing changes that will increase the availability of POST funding for localized training needs.

Justification for the proposed changes is described below.

The proposed revision is necessary to describe the reimbursement process for the newly created Reimbursement Plans, which provides the Executive Director or his/her designee the latitude to incentivize lower cost, local training, and to dis-incentivize cost prohibitive cross-state travel associated with current Reimbursement models, when comparable training can be obtained locally or regionally at a far more efficient cost.

The reimbursement process under the newly proposed Plan allows for mileage reimbursement for students near the training site, while eliminating meal and lodging costs for commuter students. It also allows for POST to reimburse back-fill costs for select presentations. The \$25,000 cap on reimbursement authority enhances POST's ability to equitably distribute the training funds throughout the state to meet various regional needs.

These proposed changes are modifications of the original proposed regulations, which were approved by the Commission on June 21, 2018. Specifically, the modifications add an additional Reimbursement Plans that include back-fill and renumbering of numerous sections in the original Regulation.

Further, the proposed changes reflect a few non-substantive words and phrases that were not properly adjusted through the strikeout/underline process, and therefore do not accurately reflect the exact changes made from the version approved by the Commission in 2018.

**Regulation 1015 - Rationale for Necessity**

- (a) - The proposed revision is necessary to address a change in funding source, which is now the State Penalty Fund (SPF) as well as other funds the State may provide in future years to offset declining SPF revenues.

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(b)(1)(A) – The proposed revision is necessary to address creation of the web-based Automated Paperless Training Reimbursement Request (eTRR) system, developed from the existing paper-based Training Reimbursement Request (TRR), which will streamline the reimbursement process.

(b)(1)(B) - The proposed revision is necessary to reference the newly created Reimbursement Plans and reference the most current Presenter Reimbursement Request (PRR) form, POST 2-243 (Rev. 2-2019), incorporated by reference, and which will be utilized for proposed Reimbursement Plans VI and VII.

(b)(10) - The proposed revision is necessary to reference the most current Notice of Appointment and /Termination (NOAT) form, POST 2-114 (Rev. 08/2016), incorporated by reference.

(b)(11) - The proposed revision is necessary to add lower case “e” to reflect the new eTRR process.

(c)(1) - The proposed revision is necessary to further reference the newly created POST Reimbursement Plans.

(c)(2) - The proposed revision is necessary to replace the existing table, and to illustrate a comparison of the Reimbursement Plans.

(c)(3)(A) - The proposed revision is necessary to eliminate duplicative language referencing a POST form.

(c)(4)(A) – The proposed revision is necessary to create authority for POST to fund training to better meet local needs, particularly for those smaller agencies that are not in close proximity to training sites, and to articulate the ability for POST to fund the costs associated with travelling instructors to the aforementioned agencies rather than sending students to distant training sites. The \$25,000 amount was selected in order to ensure adequate funding to meet regional needs, while also limiting the expenditures to make sure the monies are equitably spread across the state to stakeholder agencies.

(c)(4)(B)- The proposed revision is necessary to clearly establish which entity has responsibility for the distribution of monies for instructor salaries and presentation fees, and to ensure costs to POST do not exceed allocated limit.

(c)(4)(C) – For Plan VI courses, the proposed revision is necessary to ensure training presenters utilize the proper form to receive reimbursement and that the stakeholder agency, not POST, holds responsibility for selection of an appropriate training presenter.

(c)(4)(D) – For Plan VI courses, the proposed revision is necessary to ensure agencies and presenters focus training on courses and curriculum that have been deemed to be more critical by POST and the Legislature, and to codify authority for POST to disapprove reimbursement for agencies that do not follow POST Regulations.

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(c)(4)(E) - The proposed revision is necessary to ensure training students utilize the proper protocol to receive reimbursement.

(c)(4)(F) - The proposed revision is necessary to incentivize regional training and disincentivize expensive cross-state travel and ensure travel costs are an accurate reflection of the students' true commute.

(c)(4)(F)1. - The proposed revision is necessary to subsidize local training, while also ensuring only local (regional) students participate in the mileage reimbursement process.

(c)(4)(F)2. - The proposed revision is necessary to ensure only local (regional) students participate in the reimbursement process, and those outside the specified cap are excluded from mileage reimbursement.

(c)(4)(F)3. -The proposed revision is necessary to ensure students who live close to the training site do not stay in expensive hotel rooms, when a commute to/from home would be considerably less expensive.

(c)(4)(F)4. - The proposed revision is necessary to ensure those students whose commutes to/from home would be a significant distance, but still within the local eligibility range, can obtain meal and lodging reimbursement.

(c)(4)(F)5. - The proposed revision is necessary to ensure that students travelling over 150 miles are beyond the distance determined to be within the local region, and therefore are ineligible for reimbursement since it does not align with the goal of reimbursement for localized training.

(c)(5) - The proposed revision is necessary to articulate Plan VI attributes are incorporated as part of the Plan VII reimbursement, and to additionally codify Plan VII authority to provide back-fill reimbursement.

(c)(6) - The proposed revision is necessary to renumber the regulation for ease of reading.

(d)(1)(B) - The proposed revision is necessary to renumber the regulation for ease of reading.

(e)(1)(A) – The proposed revision is necessary to eliminate duplicative language referencing a POST form and reference the web-based Automated Paperless Training Reimbursement Request (eTRR) system

(e)(1)(B) - The proposed revision is necessary to eliminate duplicative language referencing a POST form.

(e)(2)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(e)(3)(A) - The proposed revision is necessary to renumber the regulation for ease of reading and articulate a lesser distance qualification on mileage reimbursement. This revision ensures the mileage reimbursement allocation accurately reflects the true cost to the student's employing agency for the travel costs to/from the training site.

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(e)(4)(A) - The proposed revision is necessary to articulate a distance calculation based on the student's agency assignment. This revision ensures the mileage reimbursement is based on the actual mileage realized by the student during transportation to/from the training site.

(e)(5)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(e)(6)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(f)(1)(A) - The proposed revision is necessary to eliminate duplicative language referencing a POST form and reference the web-based Automated Paperless Training Reimbursement Request (eTRR) system

(f)(1)(B) - The proposed revision is necessary to eliminate duplicative language referencing a POST form.

(f)(3)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(f)(4)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(f)(5)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(f)(6)(A) - The proposed revision is necessary differentiate the reimbursement structure for newly created Plans VI and VII, which is calculated by a different formula than the remaining Reimbursement Plans, in order to better facilitate the delivery of localized training to smaller agencies and those that are not in proximity to existing training sites.

(g)(1)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(g)(2)(A) - The proposed revision is necessary to eliminate duplicative language referencing a POST form and reference the web-based Automated Paperless Training Reimbursement Request (eTRR).

(g)(2)(C) - The proposed revision is necessary to identify that students under Plans VI and VII are eligible for commuter lunch for one-day courses, while the remaining Plans are ineligible for commuter lunch for one-day courses. This revision was created to address the different reimbursement formula and foster regional training via Plans VI and VII.

(g)(3)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(g)(4)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(g)(5)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(h)(1)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

(h)(2)(A) - The proposed revision is necessary to renumber the regulation for ease of reading.

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(i)(1) - The proposed revision is necessary to include proposed Plan VII as back-fill eligible. Plan VII is differentiated from Plans I and II (which also provide for back-fill), in that it allocates money for presentation costs borne by the presenter and can therefore be utilized to bring courses throughout the state to the regions where the training is needed.

Commission Procedure E-2 - This Procedure was never formally adopted into Regulation and served only as a secondary reference list of the approved Reimbursement Plans, and it contains redundant information already specified in Regulation. Accordingly, it is removed and its use is discontinued.